

# **NOTICE OF INTENT TO ADOPT MITIGATED NEGATIVE DECLARATION**

## **Big Canyon Creek Restoration Project**

June 26, 2009

The City of Newport Beach, as the Lead Agency, has prepared a Revised Draft Mitigated Negative Declaration (MND) for the Big Canyon Creek Restoration Project. The City of Newport Beach proposes to restore Big Canyon Creek within the existing nature park between Jamboree Road and Back Bay Drive. Under the General Plan, the area is zoned for preservation and is designated for open space conservation. Surrounding areas are residential developments on the bluff and Upper Newport Ecological Preserve to the west. The proposed project would consist of the following;

- Restore 6.62 acres of historic tidal wetlands at the mouth of Big Canyon
- Realign Back Bay Drive to follow the historical tidal boundary at the mouth of Big Canyon
- Convert 2.4 acres of the degraded freshwater marsh to tidal wetland and modify 0.8 acres remaining marsh to a transitional marsh complex that will support a more diverse community of native wetland plants
- Excavate the lower freshwater pond to create 1.5 acres of open water to use as habitat area and an element of the water quality improvement design.
- Excavate the upper freshwater pond to create 0.5 acres of open water to provide a sediment management function and open water habitat
- Enhance water quality through wetland marshes, ponds, and BMPs
- Enhance public use and educational opportunities; provide interpretive signage and coordinated trail access
- Provide and repair maintenance service access and repair or upgrade any incidental facilities to meet codes and safety requirements

Revised Draft MND, and the accompanying Feasibility Design Study, is available for review at the public counter of the City's Public Works Department, City Hall, 3300 Newport Boulevard from 09:00 a.m. to 05:00 p.m. Monday through Friday. These documents are also posted at the City's website.

<http://www.city.newport-beach.ca.us/CMO/BigCanyonCreekRestorationProject.htm>

The public review period for this draft MND begins July 2, 2009, and ends on August 3, 2009.

California State Law requires that the Lead Agency prepare a Mitigated Negative Declaration for a project subject to the California Environmental Quality Act when an Initial Study identifies potentially significant environmental effects, but revisions in the project plans or proposed mitigation measures would avoid such effects or would mitigate the effects to a point where no significant effects would occur. Based on an Initial Study and a Project Feasibility Design Study, the City has concluded that with mitigation, the Big

Canyon Creek Restoration Project will not have a significant effect on the environment and intends to recommend that the City Council adopt a Mitigated Negative Declaration for the proposed project.

If you wish to appeal the appropriateness or adequacy of this document, your comments should be submitted in writing prior to the close of the public review period. Your comments should specifically identify what environmental impacts you believe would result from the project, why they are significant, and what changes or mitigation measures you believe should be adopted to eliminate or reduce these impacts. Comments and questions may be directed to:

Mark Reader, Project Manager  
City of Newport Beach-Public Works Department  
3300 Newport Blvd  
Newport Beach, CA 92663  
Phone: (949) 981-5260  
Email: [mreader@city.newport-beach.ca.us](mailto:mreader@city.newport-beach.ca.us)

Adoption of a Negative Declaration does not constitute approval of the proposed project. The decision to approve or deny the project described above will be made separately as required by City Ordinance and other regulatory compliance.